

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 734**

Introduced by Gay, 14.

Read first time January 06, 2010

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to utility service; to amend sections 70-1603  
2 and 70-1605, Reissue Revised Statutes of Nebraska; to  
3 change provisions relating to notice of discontinuation;  
4 and to repeal the original sections.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 70-1603, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           70-1603 No municipal utility owned and operated by a  
4 village furnishing water, natural gas, or electricity at retail in  
5 this state shall discontinue service to any domestic subscriber for  
6 nonpayment of any past-due account unless such utility first gives  
7 written notice by mail to any subscriber whose service is proposed  
8 to be terminated at least seven days prior to termination. ~~As to~~  
9 ~~any subscriber who has previously been identified as a welfare~~  
10 ~~recipient to the utility by the Department of Health and Human~~  
11 ~~Services, such notice shall be by certified mail and notice of such~~  
12 ~~proposed termination shall be given to the department.~~

13           Sec. 2. Section 70-1605, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15           70-1605 No public or private utility company, other than  
16 a municipal utility owned and operated by a village, furnishing  
17 water, natural gas, or electricity at retail in this state shall  
18 discontinue service to any domestic subscriber for nonpayment of  
19 any past-due account unless the utility company first gives notice  
20 by first-class mail or in person to any subscriber whose service  
21 is proposed to be terminated. If notice is given by first-class  
22 mail, such mail shall be conspicuously marked as to its importance.  
23 Service shall not be discontinued for at least seven days after  
24 notice is sent or given. Holidays and weekends shall be excluded  
25 from the seven days. ~~As to any subscriber who has previously been~~

1 identified as a welfare recipient to the company by the Department  
2 of Health and Human Services, such notice shall be by certified  
3 mail and notice of such proposed termination shall be given to the  
4 department.

5           Sec. 3. Original sections 70-1603 and 70-1605, Reissue  
6 Revised Statutes of Nebraska, are repealed.